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Guinea

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Guinea is a constitutional republic in which effective power is concentrated in a strong presidency. President Lansana Conte has ruled this country of approximately 9.9 million persons since 1984, first as head of a military junta and, since 1994, as a civilian president. President Conte won reelection in December 2003 in an election boycotted by the opposition and criticized by international observers as neither free nor fair. Following a national labor strike in January and February and a negotiated agreement, President Conte designated Lansana Kouyate as prime minister of the country in accordance with the constitution which allows the president to delegate executive powers. President Conte remained head of state with limited powers, while Prime Minister Kouyate served as the head of government. The government declared a state of siege as a result of widespread civil unrest during a general labor strike in January and February. The civilian authorities generally did not maintain effective control of the security forces.

Serious human rights abuses occurred during the year, particularly during the January-February general strike when security forces killed and injured people. Security forces tortured and abused detainees to extract confessions, and killed, beat, and abused civilians, especially during mass demonstrations. Prison conditions were inhumane and life-threatening. Impunity of alleged perpetrators of killings and abuse remained a problem. There were arbitrary arrests, prolonged pretrial detention, and incommunicado detention. The judiciary was subject to corruption and outside influence. The government infringed on citizens' privacy rights and restricted freedoms of speech, press, assembly, association, and freedom of movement although these restrictions were less evident than in previous years. While the press is generally free and does openly criticize, there were instances of government infringement. Violence and societal discrimination against women, prostitution of young girls, and female genital mutilation (FGM) were problems. Trafficking in persons, ethnic discrimination, government targeting of labor leaders, forced labor, including by children, and child labor occurred.

RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person, Including Freedom From:

a. Arbitrary or Unlawful Deprivation of Life

The government or its agents did not commit any politically motivated killings; however there were numerous reports that the government or its agents committed arbitrary or unlawful killings. Estimates of those killed by security forces during the civil unrest in January and February varied between 137 and 186; the injured numbered more than 1,700. In addition to firing on demonstrators, security forces entered private houses and assaulted or killed inhabitants, including women and children. The government did not investigate any of these cases and took no legal or disciplinary action against security force members responsible for the killings.

On February 10, a soldier killed a young boy, Mamadou Salam Bah, in Kindia after the boy hid under a truck and pleaded with the soldier not to shoot, according to Amnesty International (AI).

On February 12, security forces killed 13-year-old Aissatou Bah when they entered her family's residential compound and fired repeatedly at numerous individuals, according to a nongovernmental organization (NGO) report. A bullet struck Bah in the head.

There were no developments in the investigations into the 2005 killings of three students during a demonstration in Telimele or in the killing of a 19-year-old student in Conakry.

Government authorities continued to block efforts by human rights groups and NGOs to investigate political killings that took place in the 1970s under then president Sekou Toure.

Many victims of crime feared that they might never receive justice because of judicial corruption and at times resorted to vigilante violence. In November in Kankan, a moto-taxi driver was reportedly murdered and found with his throat cut. In retaliation, a number of other moto-taxi drivers banded together and vandalized some local bars and restaurants, allegedly because they believed the perpetrators were under the influence of alcohol. They also threatened the local police and told them they would destroy the police station if officials refused to release the perpetrator, although no one had actually been arrested for the crime.

b. Disappearance

There were no reports of politically motivated disappearances.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The constitution and law prohibit such practices; however, both civilian and military security forces beat and otherwise abused civilians, primarily during the January-February general strike and during various demonstrations throughout the year. There also were reports that security forces tortured and beat citizens to extract confessions and employed other forms of brutality. NGOs reported ongoing torture in Conakry's main prison.

In January and February security forces arrested dozens of persons, some of whom were allegedly tortured while held in custody, according to AI. Following its April and June 2006 visits, Human Rights Watch (HRW) reported that security forces routinely violated the inherent rights to life and freedom from torture, particularly in police stations, detention facilities, and prisons. AI reported that security forces arrested a member of the Union of Guinean Youth in Conakry. He was tortured and released one week later, without being charged.

Security forces beat and arrested demonstrators, and at least one journalist was assaulted during the year.

Security forces, sometimes described as masked men in military uniform, raped a number of women. One 32-year-old woman reported that two soldiers raped her in her home on February 13 while they were looking for demonstrators. Another man in Mamou reported to an NGO that masked men wearing military uniforms entered his home on February 13 and raped his wife and his 13- and 14-year-old daughters. When he attempted to file a complaint, the authorities reportedly refused to open a case.

No action was taken against security forces who raped women during the June 2006 general strike.

No action was taken against security forces responsible for abuses reported in 2006 and 2005.

Prison and Detention Center Conditions

There are at least three types of prisons under three distinct, separate jurisdictions: the Ministry of Justice, the Ministry of Defense, and the Gendarmerie. As access to the military and gendarmerie prisons is strictly controlled with little to no international access permitted, very little is known about conditions in these facilities.

Prisons were overcrowded, and conditions remained inhumane and life threatening. Most of the country's prisons are now non-functional and the main prison in Conakry and the maximum security prison in Kindia in particular are severely overcrowded. Prisoners reported that guards threatened, beat, and harassed them, behavior that often stopped if prisoners offered bribes.

Despite a September 2006 circular from the Ministry of Security condemning torture and abuse, and announcing punitive measures against any persons found guilty of engaging in these practices, the government took no action against alleged torturers. Prisoners, including children, bore similar wounds and shared common stories. According to a local prisoner advocacy NGO, prisoners were routinely tortured to extract confessions. Prison guards deliberately scarred many prisoners' faces, branding them as criminals.

There were credible reports from prisoners that guards harassed and sexually assaulted female inmates, and according to a local prisoner advocacy NGO, the practice was widespread. Toilets did not function, and prisoners slept and ate in the same space where they relieved themselves. Neglect, mismanagement, and lack of resources were prevalent. The basic diet for prisoners was inadequate, and most inmates relied on supplemental assistance from families or friends to maintain their health. Guards often demanded bribes in exchange for delivering food to those incarcerated, and routinely confiscated food, which was seldom delivered to the intended beneficiary.

A new minister of justice was appointed in March and said that improving prison conditions would be a priority. However, no evidence of improved conditions was evident during the year.

There were at least two reports of sexual abuse towards female prisoners by prison directors in Kindia and Mamou. The government did not investigate the cases, but both directors were moved to other jurisdictions, reportedly as punishment.

Neither of the prison administrators in Mamou and Kindia were punished for raping female inmates in 2006. During the year one of the women, who was impregnated by the prison director, escaped from prison with her baby. As in previous years, there were reports of female prisoners being sent to work at private homes of government officials where they were not paid and sometimes sexually exploited, although this occurred less frequently.

Standards of sanitation remained poor, which resulted in several deaths due to malnutrition, disease, lack of medical attention, and poor conditions. No estimates were available as to the nationwide mortality rate of prisoners, although a local prisoner advocacy NGO reported 19 deaths in Conakry's main prison. Another NGO reported that when a civilian prison in N'Zerekore was destroyed by angry citizens, security forces rounded up the fleeing prisoners and put more than 100 of them in what was already a severely crowded military prison, resulting in 20 deaths over the following few days. The decline in deaths compared to 2006 may be due to the large number of prisoners who escaped from the prisons during the January-February general strike.

Some prisoners exercised more power than the guards by controlling conditions and cell assignments, giving better conditions to prisoners who were able to pay.

The prisons remained severely overcrowded. Some prisoners reported sleeping on their knees because their cells were so small. The facility in downtown Conakry was built in 1950 to hold 200 prisoners but routinely held 1,000 prisoners or more. At year's end

there were 989 prisoners in this facility.

Although the Ministry of Justice administers the prisons, the facilities were managed and staffed by military officers and guards. There were reports that some prison administrators followed directives from their military superiors, even when they were in conflict with orders from the Ministry of Justice. Due to limited funds and personnel shortages, prisons were largely staffed by untrained "volunteers" who hoped for permanent entry into the military. This system was difficult to manage and particularly vulnerable to corruption and abuse.

Prison escapes were widespread during the January-February general strike when most of the prisons were burned or destroyed. A majority of prisoners escaped and remained at large. However, no prisoners escaped from the main prison in Conakry or the maximum security prison in Kindia.

In most prisons, men and women were held separately, but juveniles generally were held with adults in prisons outside the capital. In 2006 an international NGO reported the prevalence rate of HIV/AIDS among incarcerated minor boys to be as high as 50 percent, suggesting sexual abuse. Due to the work of a local NGO, a separate facility was built in 2006 at the main prison in Conakry to house minors. Nationwide, the number of incarcerated children below the age of 18 declined by more than half to 150; one-third of them had not been formally charged or tried. Many have been imprisoned for more than six years. There were five children who either were born in prison and lived in the jails with their mothers or who had no alternative means of care, which also represented a significant decline from the previous year. A local NGO obtained legal representation for minors and its efforts resulted in a significant decrease in the number of those incarcerated. The government did not make provisions for children's food, clothing, education, or medical care in prison.

First-time offenders were not separated from repeat offenders, pretrial detainees were not separated from convicted prisoners, and the prison system often was unable to track pretrial detainees after arrest. Prisoners of political importance usually were held in the main prison in Conakry with the general prison population but housed in separate cells.

In practice political detentions rarely exceeded a few days and these persons were generally extended more protections than other detainees due to NGO and media attention to their cases. In high profile cases, they were often held separately and access to them was restricted.

The government permitted prison visits by the International Committee for the Red Cross (ICRC) and other local humanitarian and religious organizations, which offered medical care and food for those in severe need. The ICRC was allowed regular access to all 33 official detention facilities; however, no international organization was permitted access to the military detention facilities. The ICRC continued partnership programs with prison and security authorities to improve prison conditions.

The government provided open access to prisoners and allowed interviews to be conducted outside the presence of prison guards or other government authorities.

d. Arbitrary Arrest or Detention

The constitution and law prohibit arbitrary arrest and detention; however, security forces regularly used arbitrary arrest and detention, particularly during the January-February general strike.

Role of the Police and Security Apparatus

The gendarmerie, a part of the Ministry of Defense, and the National Police, under the Ministry of Security, share responsibility for internal security. The army is responsible for external security but also plays a role in domestic security. A quasi-police unit called the Anticrime Brigade, created to fight criminal gangs and bandits, operated in Conakry and in most major regions and prefectures. The Code of Penal Procedure permits only the gendarmerie to make arrests, but the army, the Presidential Guard (Red Berets), and the state police often detained persons as well.

The police force was inadequately staffed and lacked training. Administrative controls over the police were ineffective, and security forces rarely followed the penal code. Corruption was widespread, and security forces were generally not held accountable for alleged abuses of power or criminal activities. Many citizens viewed the security force as corrupt, ineffective, and even dangerous. Police ignored legal procedures and extorted money from citizens at roadblocks. The government did not take any action to train or reform security forces, although several NGOs conducted training programs.

During the January-February general strike, police forces were unable to effectively control crowds, which resulted in military intervention. The government used all available security forces to maintain peace and order, which included authorizing additional powers during the state of siege between February 12 and 23.

Arrest and Detention

The penal code stipulates that the arrest of persons in their home is illegal between 4:30 p.m. and 6:00 a.m.; nevertheless, night arrests took place. The penal code also requires that the government issue a warrant before an arrest can be made and that detainees be charged before a magistrate within 72 hours; however, many detainees were incarcerated for longer periods before being charged. After being charged, the accused may be held until the conclusion of the case, including a period of appeal. Authorities frequently did not respect the provision of the law that provides for access by attorneys to their clients. Although the law proscribes incommunicado detention, it occurred in practice. Release on bail was at the discretion of the magistrate who had jurisdiction.

Security forces arrested demonstrators and labor leaders during the year. They were detained for about eight hours and released.

On July 11, police arrested and detained Sidikiba Keita, the son of a cabinet-level official during the Sekou Toure regime, reportedly for plotting against the government. No charges were filed, and he was released several weeks later.

On December 15, security forces arrested and detained university professor Lansana Komara, who is a member of the executive bureau of the opposition Rally for the Guinean People political party. At year's end, Komara remained in detention at PM3, a gendarmerie prison. Reportedly, Komara's lawyer had not been granted access to his client and prison officials did not provide him with an explanation of the charges, claiming that no file existed.

There were no further developments in the 2005 cases of the individuals who were suspected for involvement in the January 2005 assassination attempt on President Conte. Antoine G'Bokolon Soromou and Mohamed Lamine Diallo remained in self-imposed exile.

Seven military officers arrested in 2003 for suspected coup plotting were still in prison awaiting trial at year's end.

Gendarmes detained an unknown number of active and ex-military personnel for unspecified reasons. Credible human rights sources reported that the treatment of these detainees was not monitored by independent agents. One international NGO reported that at PM3, the main gendarmerie prison, gendarmes routinely arrested numerous civilians and detained them until they paid the gendarmes to be released. In violation of the law, an unknown number of prisoners were held on army bases where virtually all contact was forbidden.

Prolonged pretrial detention was a serious problem. A prisoner advocacy organization estimated that approximately 89 percent of the prisoners in Conakry were awaiting trial. According to this same NGO, only approximately 10 percent of the prisoners at Conakry Central Prison had been tried, while all others were in investigative detention. At times detainees remained in prison for more than 10 years without trial. For example, Abdoulaye Camara and Mohamed Diasy reportedly have served 11 years at the central prison without judgment or sentencing. At least one of them has suffered permanent paralysis as a result of prison conditions. Police arrested the men in March 1996 in connection with a burglary. Another prisoner, Thierno Barry, has been in the Conakry Central Prison without judgment or sentencing since his arrest in 1991.

e. Denial of Fair Public Trial

The constitution and law provide for an independent judiciary and while judicial authorities deferred to executive authorities in some cases, they did so less often than in previous years. The judicial system was endemically corrupt, and magistrates were civil servants with no assurance of tenure. Authorities routinely accepted bribes in exchange for specific outcomes. Budget shortfalls, a shortage of qualified lawyers and magistrates, and an outdated and restrictive penal code continued to limit the judiciary's effectiveness. With the installation of a consensus government in March and the appointment of a new minister of justice, instances of executive interference have reportedly declined.

The judiciary includes courts of first instance, two courts of appeal, and the Supreme Court, which is the court of final appeal. The law provides for a parallel structure for juveniles. A military tribunal prepares and adjudicates charges against accused military personnel, to whom the penal code does not apply. Civilians were not subject to military tribunals.

In practice the two appeals courts which handle serious crimes did not function, which contributed to lengthy pretrial detentions. By law, the courts of appeal must hold a session once every four months, but only two sessions were held in the last seven years, one in 2003 and one in 2006. The juvenile appeals court convened in 2006 for the first time since 1998.

Trial Procedures

Trials are public, and juries are used for criminal cases. Defendants have the right to be present and to consult with an attorney in a timely manner. Defendants have the right to confront and question prosecution witnesses and present witnesses on their behalf. The prosecution prepares a case file, including testimonies and evidence, and provides a copy for the defense.

The penal code provides for the presumption of innocence of accused persons, the independence of judges, the equality of citizens before the law, the right of the accused to counsel, and the right to appeal a judicial decision; however, these rights were not consistently observed in practice.

Although the government is responsible for funding legal defense costs in serious criminal cases, in practice it rarely disbursed funds for this purpose. The attorney for the defense frequently received no payment.

Many citizens wary of judicial corruption preferred to rely on traditional systems of justice at the village or urban neighborhood level. Litigants presented their civil cases before a village chief, a neighborhood leader, or a council of "wise men." The dividing line between the formal and informal justice systems was vague, and authorities sometimes referred a case from the formal to the traditional system to ensure compliance by all parties. Similarly, if a case was not resolved to the satisfaction of all parties in the traditional system, it could be referred to the formal system for adjudication. The traditional system discriminated against women in that evidence given by women carried less weight.

The state security court is composed of magistrates directly appointed by the president, and the verdict is open to appeal only on a point of law, not for the re-examination of evidence.

No legal action was taken against Sekhounah Soumah, an elected official related to President Conte who in 2006 assaulted a judge during trial proceedings and ordered him to stop the trial that was in session.

Political Prisoners and Detainees

There were no reports of political prisoners; however, police briefly detained dozens of members of politicized organizations and labor unions during the January-February general strike.

Civil Judicial Procedures and Remedies

Under the law, there is a judicial procedure for civil matters. In practice the judiciary was neither independent nor impartial, and decisions were often influenced by bribes and based on political and social status. There were no lawsuits seeking damages for human rights violations. In practice domestic court orders were not enforced.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The constitution and law provide for the inviolability of the home and require judicial search warrants; however, police and paramilitary police often ignored legal procedures in the pursuit of criminals. For example, during the January-February general strike, security forces reportedly went to private residences throughout the country, searched homes and private vehicles, detained citizens on suspicion of involvement, raped women and girls, and physically abused or killed individuals. Between February 12 and 23, the government declared a state of siege and authorized security forces to place people under house arrest for activities deemed a threat to public security.

Unlike in previous years, there were no reports that security forces monitored mail or public officials and authorities intimidated and harassed local businesses.

Unlike in previous years, the government did not coerce membership in political parties. The January-February general strike resulted in the installation of a non-partisan consensus government. Cabinet officials and regional administrators were appointed to positions previously held by supporters of the ruling Party of Unity and Progress (PUP). Instances of preferential treatment relating to party membership were not evident during the year.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The constitution and law provide for freedom of expression; however, the government did not respect these rights in practice. The government closed radio stations and harassed and intimidated journalists, particularly during the January-February general strike. Some radio journalists practiced self-censorship.

The law prohibits talk or chants in public that are perceived as seditious; establishes defamation and slander as criminal offenses; and prohibits communications that insult the president, incite violence, discrimination, or hatred, or disturb the public peace or security. Penalties include fines, revocation of press cards, imprisonment, and banishment.

Unlike in previous year, there were no reports that security forces destroyed the market stalls of people who insulted the president when his motorcade passed.

The government published an official daily newspaper, the *Horoya*, and continued to operate official television and radio stations. The state-owned media provided extensive and mostly favorable coverage of the government and ruling party. State-owned media provided minimal coverage of events during the state of siege, but provided extensive coverage of the legislative session that led to the appointment of the new prime minister.

Private newspapers openly criticized the president and the government. There were 15 private newspapers published weekly in Conakry, and up to 10 other publications appeared sporadically, although technical difficulties and high operating costs impeded regular publication. One newspaper, *L'Espoir*, was affiliated with the governing political party, and several other newspapers openly supported opposition parties. Other newspapers offered news and criticism of both the government and the opposition. Two private newspapers were published irregularly in the interior, in Labe and Kankan.

Foreign publications, some of which criticized the government on a regular basis, were available both in print and electronic format.

The government does not permit media ownership by political parties and religious institutions, but did not restrict programming on political and religious subjects.

In September 2006 the National Communications Council (CNC) announced financial subsidies of \$105,000 (400 million Guinea francs) to 37 of 58 registered private media organizations, purportedly to encourage private media. The Association of Independent Editors requested that the CNC double the amount of the grant in 2007 to extend benefits more widely, but the total subsidy amount remained \$105,000. More media organizations received benefits during the year, about 80 out of 350. Subsidy calculations

are based on a number of factors including frequency of publication. Registration of independent media organizations is a fairly straightforward and inexpensive process. In addition electronic media was allowed to register this year for the first time, which may account for the significant jump in the total number registered. Not all of those new organizations who registered actually published news.

Despite the limited reach of the print media due to low literacy rates and high prices of newspapers, the government continued to criticize and harass print journalists. For example, on August 13, a court convicted Thiernodjo Diallo and Abdoul Azziz Camara of the newspapers *La Vérité* and *La Liberation*, of libel and sentenced them to six-month prison terms and fined them \$13,158 (50 million Guinea francs). The journalists had accused the former Minister of Public Works, Bana Sidibé, of embezzlement.

Numerous newspapers were suspended in 2006 for printing articles that criticized prominent persons in business and politics. In October 2006 three journalists were indefinitely suspended, two for not publishing President Conte's picture alongside the copy of his independence day speech, and the third for failing to show images of key ministers engaging with the public. These journalists never regained their original positions, but obtained positions with other news agencies.

In August 2006 for the first time in the country's history, private radio stations began broadcasting. Four local private radio stations operated in the capital: Radio FM Liberté, Radio Nostalgie, Radio Soleil and Radio Familia FM. In addition Radio France International and the BBC also broadcast through licenses with Radio Television Guinean. 12 rural and community radio stations operated in other parts of the country, and radio remained the most important source of information for the public. Many citizens listened regularly to foreign-origin short wave radio. The government did not restrict access to or distribution of foreign television programming via satellite or cable; however, relatively few citizens could afford these services.

During the January-February general strike, the military harassed and intimidated the media, particularly private radio. On February 12, soldiers ransacked Radio FM Liberté and arrested and detained Editor Mohamed Tondon Camara and a staff member for more than 24 hours. Also in February, a military officer and 20 armed presidential guards advised Radio Familia FM to go off air; the station stopped broadcasting. All private, independent FM radio stations, including RFI, went off the air during the February state of siege. Broadcasting resumed several weeks after the strikes ended.

On March 20, Captain Ousmane Conte, a military officer and son of President Conte, physically assaulted a journalist in a night club. No charges were filed.

There is one private organization, Les Editions Gandhal, that publishes books. No restrictions on publishing freedom were reported.

Internet Freedom

There were no government restrictions on access to the Internet or reports that the government monitored e-mail or Internet chat rooms. Individuals and groups could engage in the peaceful expression of views via the Internet, including by e-mail. The Internet was available for use by all citizens, but only a small minority of the population used the technology. Cost, literacy, and availability remained major constraints to use by a broad range of citizens.

Academic Freedom and Cultural Events

The Ministry of National Education and Scientific Research exercised limited control over academic freedom through its influence on faculty hiring and control over the curriculum; however, teachers generally were not subject to classroom censorship.

b. Freedom of Peaceful Assembly and Association

Freedom of Assembly

The law restricts freedom of assembly, and police use of excessive force during the year resulted in the deaths of numerous demonstrators, including women and children, as well as hundreds of injuries. The penal code bans any meeting that has an ethnic or racial character or any gathering "whose nature threatens national unity." The government requires a 72-working-hour advance notification of public gatherings. The law permits local authorities to cancel a demonstration or meeting if they believe it poses a threat to public order. Authorities may also hold event organizers criminally liable if violence or destruction of property ensues. On September 21, Minister of Interior Mamadou Beau Keita announced that this law would be strictly enforced. HRW reported in 2006 that the government routinely violated freedom of assembly.

Security forces used tear gas, physical force, and firearms to disperse crowds of demonstrators and arrested numerous other demonstrators. The government took no punitive action against security force members.

On January 17, during a demonstration in Conakry, high-school student Abdoulaye Diallo was shot and killed when he tried to run to safety.

On January 22, security forces killed approximately 60 persons when they fired on unarmed demonstrators participating in a labor union strike in Conakry. An NGO reported that soldiers aimed at vital organs and shot a number of victims in the back as they attempted to flee. A witness told an NGO that one victim, 22-year-old Lamine Nabé, was shot in the foot. When he bent down to look at his wound, he was hit again by a bullet to the chest and killed instantly.

Demonstrators killed security forces. Some security forces were reportedly killed by private citizens during the January-February

general strike. On February 10, a gendarme was lynched in Kankan after he fired on demonstrators, an international NGO reported.

On June 14, soldiers reportedly fired into the air and then arrested and beat approximately 60 students who were demonstrating at the University of Foulaya in Kindia. The soldiers detained the students at the military base for two days. No charges were filed.

Police forcibly dispersed many strikes and demonstrations in 2006, resulting in arbitrary arrests, beatings and injuries, and numerous deaths. The June 2006 strike, for example, resulted in 21 deaths and at least 100 injuries. The government promised thorough investigations into the killings; however, apart from a statement listing the victims, no information or investigation had been released by year's end. No security officers were arrested or charged for their actions in any of the 2006 incidents of forcible dispersals, and NGOs reported that during their independent investigations into the 2006 strike, witnesses refused to disclose information, fearing government reprisal. HRW emphasized the sense of impunity that exists, emboldening perpetrators and sustaining abuses.

There was no active investigation of the 2005 killings in Telimele, or several other cities during the 2005 local elections, or any of the other forcible dispersals that resulted in deaths or injuries.

Freedom of Association

The constitution and law provide for freedom of association; however, the government infringed on this right in practice. The government imposed cumbersome requirements to obtain official recognition for public, social, cultural, religious, or political associations. Most of the restrictions focused on political associations as opposed to nonpolitical associations. For example, political parties had to provide information on their founding members and produce internal statutes and political platforms consistent with the constitution before the government recognized them.

c. Freedom of Religion

The constitution and law provide for freedom of religion, and the government generally respected this right in practice.

In March the government abolished the National Islamic League and created the Ministry of Religious Affairs which is responsible for providing liaison with all active religions in the country. The government also implemented a policy providing time spots on government-owned radio and television to all active religious denominations.

Approximately 85 percent of the population practiced Islam, and most of these adhered to Sunni teachings and practices. Non-Muslims were represented in the cabinet, administrative bureaucracy, and the armed forces. However, the government continued to refrain from appointing non-Muslims to important administrative positions in certain parts of the country in deference to the particularly strong social dominance of Islam in these regions.

Societal Abuses and Discrimination

Relations among the various religions were generally amicable; however, in some parts of the country, Islam's dominance created strong societal pressure that discouraged conversion from Islam or land acquisition for non-Islamic religious use.

There were few Jewish persons in the country, and there were no reports of anti-Semitic acts.

For a more detailed discussion, see the [2007 International Religious Freedom Report](#).

d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons

The constitution and law provide for freedom of movement, foreign travel, emigration, and repatriation; however, authorities at times infringed on these rights. The government requires all citizens to carry national identification cards, which they must present on demand at security checkpoints.

Police and security forces continued to detain persons at military roadblocks to extort money; however, there were fewer such reports than in previous years.

The law does not prohibit forced exile, but the government did not use it.

Internally Displaced Persons (IDPs)

International NGOs and the government reported that all IDPs had been reintegrated.

Protection of Refugees

The law provides for the granting of asylum or refugee status to persons in accordance with the 1951 UN Convention relating to the Status of Refugees and its 1967 protocol, and the government has established a system of providing protection to refugees through an advisor on territorial issues within the Ministry of Territorial Administration. In practice the government generally provided protection against "refoulement," the return of persons to a country where there is reason to believe they feared persecution. The

government cooperated with the office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in assisting refugees and asylum seekers.

Many positive developments in the area of refugee repatriation continued during the year. The UNHCR accommodated all refugees desiring voluntary return to other countries. The UNHCR continued to offer financial support for the rehabilitation of communities severely affected after 18 years of hosting refugees.

The country has been a place of refuge for asylum seekers from neighboring countries in conflict, including Liberia, Sierra Leone, Cote d'Ivoire, and Guinea Bissau. At year's end, UNHCR and the National Bureau for Refugee Coordination estimated that the total refugee population left in the country was 22,000, the majority of whom were Liberians. With the success of assisted and voluntary repatriation, refugee camps continued to close, leaving two operational camps at year's end. The government, in coordination with UNHCR, continued to facilitate the integration of approximately 1,000 citizens of Sierra Leone who had chosen to remain in the country. UNHCR also started a program to integrate Liberian refugees into local communities.

During the year the government continued to provide temporary protection to approximately 45 individuals of different African nationalities who may not qualify as refugees under the 1951 UN convention or its 1967 protocol.

While there were continued reports of rape, assaults, and forced prostitution in refugee camps, the number of cases reportedly declined significantly from previous years. Tension continued between host communities and refugee populations because of disparities in living standards and tribal conflicts, although these tensions were less apparent than in previous years. Economic decline in the country continued to exacerbate situations where refugees received basic services and opportunities unavailable to citizens.

Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

The constitution and law provide for a popularly elected president and National Assembly; however, the government restricted citizens' ability to exercise this right. Political reforms—including passage of an electoral law that lifts restrictions on opposition parties--resulted in some improvements during the year.

Elections and Political Participation

President Conte won reelection in December 2003. All major opposition parties boycotted the election, criticized by international observers as neither free nor fair. In December 2005 the government held nationwide elections, and 16 of 46 registered political parties, including all the major opposition parties, participated. According to official results, President Conte's ruling PUP garnered approximately 80 percent of the vote with certified victories in 31 of 38 municipalities and 241 of 303 local councils. The PUP and associated parties held 91 of the 114 seats in the National Assembly.

The local electoral process was characterized by both improvements over past practice as well as serious flaws. Positive developments included freer campaigning, a single ballot listing all parties, transparent ballot boxes, political parties represented at the polling stations, media coverage of events, and free access for national observers. However, the turnout was low, and there were significant irregularities and bias by officials towards the ruling party before and during the vote. These included government revision of voter rolls with limited oversight, exclusion of up to 50 percent of the opposition candidate lists, unequal provision and distribution of voter registration cards and identity documents, and susceptibility to cheating in the district-level vote consolidations.

Past elections were closely controlled by the government, which drew strong criticism from civil society and opposition parties, prompting demands for greater electoral independence. In April the National Assembly passed a law establishing an independent national electoral commission to co-manage national elections, in cooperation with the government. This law also provides for a codified framework under which opposition parties can legally operate; in the past the government could arbitrarily restrict opposition party activities. The law also provides a mechanism to distribute national financing to all political parties.

Under the law legislative elections are scheduled every five years. Elections were due in June 2007 but had not taken place by year's end.

Political parties generally operated without restrictions or outside influence. Since the installation of the consensus government in March, the majority PUP party exerted much less influence than in previous years and PUP membership no longer conferred formal advantages within the political system.

The president delegated power to the prime minister to appoint governors, prefects, and subprefects and to administer regions, prefectures, and subprefectures, respectively. In July the prime minister appointed new officials and, unlike in previous years, appointments were not made on the basis of party affiliation. The new prime minister was chosen specifically for his non-partisanship and he selected non-partisan officials to fill appointed positions.

There were 20 female deputies in the 114-member National Assembly and five women in the 26-member Supreme Court. Three women held seats in the 23-member cabinet appointed in March. There were few women at senior levels below minister, and there were no women in the senior ranks of the armed forces. The prime minister appointed the country's first female governor and two female prefects. Women generally played a minor role in the leadership of the major political parties; however, Assiatou Bah was vice president of the Union for Progress and Renewal (UPR). Rally for the Guinean People (RPG) named Fatou Bangoura to the post of political secretary.

Members of the three main ethnic groups (Soussou, Malinke, and Peuhl) as well as all smaller groups in the country (Gerze, Toma, Kisse, Koniake, and Mano) served in the National Assembly. The Supreme Court, cabinet, and armed forces leadership included representatives of all major ethnic groups. However, a disproportionate number of senior military officers were Soussou, the president's ethnic group.

Government Corruption and Transparency

The law provides criminal penalties for official corruption; however, the government did not implement the law effectively, and officials frequently engaged in corrupt practices with impunity. Corruption remained widespread throughout all branches of government. The World Bank's Worldwide Governance Indicators reflected that corruption was a severe problem. Unlike in previous years, the president did not overrule legislative decisions although government officials deferred to the president by waiting several months for his signature on new laws and other legislative documents before implementing them. Connection to the president or his powerful associates sometimes conferred exemptions from taxes and other fiscal obligations. Public funds were diverted for private use or for illegitimate public uses, such as buying expensive vehicles for government workers. Land sales and business contracts lacked transparency.

In 2006 a committee was established to follow-up on a 2005 World Bank report on corruption. Each ministry was tasked with creating an internal office to identify and address corruption as related to its duties. However, no action was taken by government ministries during the year on report recommendations.

During the year the National Agency for Anticorruption (housed within the Ministry of Financial and Economic Control, Ethics and Transparency) developed a national anticorruption plan to be implemented in coordination with all government institutions. The agency also organized seminars to disseminate information regarding the African Union Anticorruption Convention. Several of the new ministers made anticorruption a priority. In November a delegation of government, civil society, and media representatives attended Transparency International's annual anticorruption conference. The minister of education took steps to reduce corruption in the national university exam system and observers reported that the process was significantly more transparent than in previous years. However, in general there was much discussion of corruption during the year, but little action.

There were no developments in the case of prominent businessman Mamadou Sylla, who the government briefly imprisoned in December 2006 on charges of embezzlement.

The annual budget approved in July included a line item for all expenditures and each ministry was required to submit justifications for projected spending. Most ministries complied with this requirement.

On July 2, the Ministry of Economic and Financial Control conducted a comprehensive audit of 18 government ministries and departments. Selected from private accounting firms, 76 professional auditors were hired to conduct the audit. Results were pending at year's end.

There is no law providing free access to government information. However, the government disseminates some information through radio, national television, and government-owned print media. Throughout the year the government publicized deliberations of the weekly cabinet meetings and the national television station broadcast the National Assembly's budgetary session for the first time. Most other government information was not available to the public, and there was no mechanism to request it formally.

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

A number of domestic and international human rights groups generally operated without government restriction, investigating and publishing their findings on human rights cases. Government officials were somewhat cooperative and responsive to their views. Unlike in previous years, there were no reports of government officials attempting to intimidate local organizations investigating abuses or engaging in civil education.

Various government officials continued to block private efforts to memorialize victims of the Sekou Toure regime that ruled the country from independence until 1984. The Association of Victims of Camp Boiro was forbidden to establish a museum focusing on human rights in the former location of the prison where political detainees were tortured and killed. However, one of the Camp Boiro victims published a memoir detailing his experiences while incarcerated for several years.

The government facilitated visits by a number of international human rights NGOs and generally cooperated with such organizations; however, none were permitted access to military prisons. AI published a report of human rights abuses committed during the January-February general strike while HRW reported on the exploitation of young girls as domestic workers (see section 6.d.). The government generally cooperated with other international bodies.

The government has several mechanisms for addressing human rights issues, including a national directorate within the Ministry of Justice and offices within the ministries of defense and interior. However, these organizations remained inactive during the year.

In February the government reached an agreement with civil society to establish a national commission to investigate alleged human rights abuses committed by security forces during the January-February general strike. The National Assembly passed a law establishing the commission, and in September the prime minister nominated 15 persons to serve on the commission. At year's end, the Commission had not formally started its investigations due to lack of funding.

Section 5 Discrimination, Societal Abuses, and Trafficking in Persons

The law states that all persons are equal before the law regardless of gender, race, ethnicity, language, beliefs, political opinions, philosophy, or creed; however, the government did not enforce these provisions uniformly.

Women

Rape is a criminal offense, but is rarely prosecuted. Spousal rape is neither punished nor regarded as a criminal offense. Social beliefs and fear of being ostracized prevented most victims from reporting incidents of rape. There were no reports of prosecutions against rapists. According to a 2003 study, victims of sexual assault constituted more than 20 percent of all cases presented by women in a local hospital. Experts reported that the situation has not changed significantly. Many of these assaults were perpetrated by a person the victim knew and often took place at school; more than half the victims were young girls. Several local NGOs worked to increase public awareness of the nature of these crimes and promote increased reporting. The authorities were reluctant to pursue criminal investigations of alleged sexual crimes.

Domestic violence against women was common, although estimates were unavailable as to the extent of the problem. Due to fear of stigmatization and reprisal, women rarely reported abuse except at the point of divorce. Wife beating is not addressed specifically within the law, although charges can be filed under general assault, which carries penalties ranging from two to five years in prison and fines ranging from \$13 to \$79 (50,000 to 300,000 Guinea francs). Assault constitutes grounds for divorce under civil law; however, police rarely intervened in domestic disputes, and there were no reports of perpetrators being punished.

Prostitution is illegal but is widely practiced and generally tolerated. Selling or managing minors for prostitution is a criminal offense. However, the government did not take action when prostitution of minors was brought to its attention, and it did not actively monitor child or adult prostitution.

Although the government made regular statements in the media against sexual harassment, it is not against the law. Women working in the formal sector in urban areas complained of frequent sexual harassment, and it was not penalized by employers.

The law provides for equal treatment of men and women. The Ministry of Social Affairs and Women's and Children's Issues worked to advance such equality; however, women faced discrimination throughout society, particularly in rural areas where opportunities were limited by custom and the demands of childrearing and subsistence farming. Women were not denied access to land, credit, or businesses, but inheritance laws favor male heirs over female heirs. Government officials acknowledged that polygamy was a common practice. Divorce laws generally tend to favor men in awarding custody and dividing communal assets. Legal evidence given by women carried less weight than testimony by men, in accordance with Islamic precepts and customary law. The government affirmed the principle of equal pay for equal work, although in practice women received lower pay than men. No steps were taken to implement the 2007-11 action plan on women's empowerment.

Children

The law provides that the government should support children's rights and welfare, although in practice, the government did not effectively protect children. While access to primary education for both genders generally improved, government spending on education focused on higher learning with total spending declining by about 4 percent during the year.

While exact figures are not available, the government does not systematically register births and issue birth certificates, leaving a significant number of children without official documentation, which impedes access to school and health care.

Government policy provides for tuition-free, compulsory primary school education for six years, and enrollment rates were significantly higher than in recent years, although generally low by international standards. Based on data from the 2005-2006 school year, 63 percent of children were enrolled in primary school. When considering girls only, the enrollment rate was 57 percent. In rural areas, 49 percent of all children and 42 percent of girls were enrolled in primary school. Several government programs resulted in an increase in girl's school enrollment, but enrollment rates for girls generally starts to decline at the middle school level. While girls legally have equal access to all levels of primary and secondary education, social norms and practices result in significantly lower attendance rates at the secondary level.

Child abuse, particularly sexual assault, was a problem. Girls between the ages of 11 and 15 years were most vulnerable and represented 55 percent of all rape victims.

In February a pastor in Conakry who reportedly raped at least eight girls in 2006 was imprisoned and awaiting trial at year's end. In 2006 he was arrested and charged with rape and assault, but found innocent amidst allegations of judicial interference. However, in a turnaround, the pastor was imprisoned in February and is awaiting trial at the court of appeal.

Female Genital Mutilation (FGM) was practiced widely in all regions and among all religious and ethnic groups. FGM is illegal and carries a penalty of three months in prison and a fine of approximately \$26 (100,000 Guinea francs), although there were no prosecutions during the year. Senior officials and both the official and private press spoke against the practice. FGM was performed on girls between the ages of four and 17. According to a 2005 Demographic and Health Survey (DHS), FGM prevalence was 96 percent nationwide, a slight decline from the 99 percent prevalence rate reported in the 1999 DHS. Infibulation, the most dangerous form of FGM, was rarely performed.

The government continued efforts to eradicate FGM and to educate health workers on the dangers of the practice; however, there were no statistics evaluating the success of the program. The government supported the efforts of the Coordinating Committee on Traditional Practices Affecting Women's and Children's Health (CPTAFE), a local NGO dedicated to eradicating FGM and ritual scarring. The CPTAFE reported high rates of infant mortality and maternal mortality due to FGM. Government ministers, health officials, and the media discussed FGM more frequently.

A growing number of men and women opposed FGM and urban, educated families increasingly opted to perform only a slight, symbolic incision on a girl's genitals rather than the complete procedure. Efforts by NGOs to persuade communities to abandon FGM resulted in thousands of families immediately ending the practice. The NGO TOSTAN was successful in bringing together communities that traditionally intermarry to combat FGM. Recognizing traditional practices that encouraged FGM, the NGO helped establish binding social contracts where families agreed that they would accept a woman who had not undergone this procedure as an acceptable wife for one of their sons. This coordinated approach made it possible for thousands of families to immediately end this practice. In June 150 communities publicly declared an end to FGM, underage and forced marriages, and other harmful traditional practices.

The legal age for marriage is 21 years for men and 17 years for women. Although there were no official reports of underage marriage, it allegedly was a problem. Parents contracted marriages for girls as young as 11 years of age in the Fouta and Forest regions. The CPTAFE, in conjunction with the government, local journalists, and international NGOs, continued to run an education campaign to discourage underage marriage and reported lower rates than in previous years. According to CPTAFE, some families that sanctioned early marriages nevertheless kept their married daughters in the family home until they had at least completed secondary school.

There are no official statistics available on the number of street children.

Trafficking in Persons

Although the law prohibits trafficking in persons, the country was a source, transit point, and destination point for trafficking. The law carries a penalty of five to 10 years' imprisonment and confiscation of any money or property received as a result of trafficking activities.

Some NGOs reported that women, men, and children were trafficked within the country, as well as internationally, for the sex trade and illegal labor. Trafficking in persons from rural areas, mainly from the poorest areas in upper Guinea, to urban centers was more common than international trafficking. NGOs claimed that the country was frequently a transit route for a West African trafficking network because fraudulent passports can be easily obtained and no visas are required for local nationals to travel to certain North African countries. From these nations, children were then sent to destinations in Europe. The ICRC reported that trafficking of children was a problem among repatriates from Sierra Leone and Liberia, some of whom hoped to gain advantage from reunification projects intended to reconstitute families separated through war. Accurate statistics were difficult to obtain because victims did not report the crime, but estimates were in the hundreds.

Some children were trafficked for forced labor in agriculture and diamond mining camps, begging, and for household work in Conakry. Children trafficked into Sierra Leone were reportedly sold to work in diamond mining camps or as domestics. Girls under the age of 14 were involved in prostitution.

In July local authorities in Forekariah arrested four women who attempted to traffic 10 young children over the border into Sierra Leone. They also arrested a young woman who attempted to traffic a six-year old girl. All five of these women were formally charged; at year's end, the government was in the process of preparing for criminal trials.

In January a man living in the Macenta region was arrested for attempting to sell his five-year old daughter. He was sent to prison but escaped a few weeks later during a prison fire. He remained at large at year's end.

The perpetrator of the July 2006 kidnapping of a seven-year-old girl in Macenta Region was awaiting trial at year's end.

No arrests were made during the year in connection with the 2005 case of 14 Sierra Leonean women and their babies who were victims of a trafficking network in Conakry with plans to send them to Holland.

The government continued a public outreach program to combat trafficking during the year, and the Interministerial Committee to Combat Trafficking in Persons was influential in moving trafficking cases through the judicial system, a significant achievement in a country unable to address impunity in most other areas. However, the government made minimal progress on antitrafficking legislation and other counter-trafficking measures.

Persons with Disabilities

The law does not prohibit discrimination against persons with disabilities in employment, education, access to health care, or in the provision of other state services. In practice there were no official reports of societal or governmental discrimination against person with disabilities. The government had not mandated accessibility for persons with disabilities, and buildings and vehicles remained inaccessible. Few persons with disabilities worked in the formal sector; some worked in the informal sector in small family-run businesses, and many lived by begging on the streets.

National/Racial/Ethnic Minorities

The country's population was ethnically and regionally diverse with three main ethnic groups throughout the country and several smaller ethnic groups in the Forest Region. Each of the three major ethnicities identifies with a specific region and forms the majority of the population in that region: the Soussou in lower Guinea, the Peuhl in middle Guinea, and the Malinke in upper Guinea. Conakry and other large urban areas such as Kankan and the Forest Region were ethnically heterogeneous.

While the law prohibits racial or ethnic discrimination, ethnic identification was strong.

Mutual suspicion, both inside and outside the government, affected relations across ethnic lines. Widespread societal ethnic discrimination by members of all major ethnic groups was evident in private sector hiring patterns, in the ethnic segregation of urban neighborhoods, and in the relatively low levels of interethnic marriage. The proportion of public sector positions occupied by Soussous, particularly at senior levels, was widely perceived as exceeding their share of the national population and resulted in local tensions that have erupted in violence in the past. Malinke migration into the traditional homelands of smaller ethnic groups has also resulted in tension and violence in the past.

The ruling PUP party, although generally supported by Soussous, transcended ethnic boundaries more effectively than the major opposition parties, which have readily identifiable ethnic and regional bases. The UPR's main base was the Peuhls, while the RPG's main base was the Malinke.

Other Societal Abuses and Discrimination

Discrimination against homosexuals is not prohibited by law, but there are no discriminatory laws based on sexual orientation. Although there were deep social, religious, and cultural taboos against homosexuality, there were no official reports of discrimination against homosexuals.

Unlike in the past, there were no reports that hospitals refused to treat patients with HIV/AIDS. There were no reports of workers being discriminated against based on HIV/AIDS status.

Section 6 Worker Rights

a. The Right of Association

The law and constitution provide for the right of employees, except for military and paramilitary personnel, to form and join independent labor unions, and this right was respected in practice. The labor code requires elected worker representatives for any enterprise employing 25 or more salaried workers. Although labor statistics were inadequate, at least 167,000 workers were reportedly unionized.

During the 2006 strike, unions won concessions for higher salaries and increased benefits for government employees, formalized teachers' contracts, and participation in government decisions on fiscal and monetary issues.

The January-February general strike was politically motivated and did not focus on specific goals explicit to union members. The strike was precipitated by an intense popular reaction to the release from prison of Mamadou Syllah and Fode Soumah by President Conte in December 2006, two individuals accused of embezzling millions of dollars. When the unions struck, they demanded that President Conte step down. During the course of the negotiations that followed, the unions agreed to accept a consensus government which was formed in March.

During the strike union leaders were arrested and detained on two separate occasions. On January 17, eight leaders were detained for one hour in Conakry. On January 22, 72 union leaders were detained for eight hours, also in Conakry. In both cases, charges were eventually dropped. Among those arrested were Hadja Rabiatou Serah Diallo and Dr. Ibrahima Fofana, co-chairs of the union-intersyndicale, an organization representing a coalition of labor unions responsible for the strikes.

The law and constitution prohibit antiunion discrimination. While unionized labor at times faced strong opposition from government officials, this occurred much less frequently than in previous years. Individual workers threatened with dismissal or other sanctions have the right to a hearing before management with a union representative present and, if necessary, to take the complaint to the Conakry Labor Court. In practice this court did not convene during the year and any cases were referred to the Ministry of Labor for arbitration. In the interior, civil courts heard labor cases.

b. The Right to Organize and Bargain Collectively

Under the labor code, representative workers' unions or union groups may organize in the workplace and negotiate with employers or employer organizations, and workers exercised this right in practice. The law protects the right to bargain collectively concerning wages and salaries without government interference, and employers established rules and hours of work in consultation with union delegates.

The law grants salaried workers, including public sector civilian employees, the right to strike 10 days after their representative union makes known its intention to strike, and workers exercised this right several times over the year. By law, arbitration is by consensus and is executed through the Office of the Inspector General of Work within the Ministry of Labor. In practice, however, employers can impose binding arbitration. The law prohibits strikes in essential services, including hospitals, police, the military,

transport, radio and television, and communications.

There are no export processing zones.

c. Prohibition of Forced or Compulsory Labor

Although the law specifically prohibits forced or compulsory labor, including by children, there were reports that such practices occurred.

The law prohibits the exploitation of vulnerable persons for unpaid or underpaid labor. Violations carried a penalty of six months' to five years' imprisonment and a fine of approximately \$13 to \$100 (50,000 to 382,500 Guinea francs). The government did not enforce this provision in practice.

d. Prohibition of Child Labor and Minimum Age for Employment

The general labor code has specific provisions that pertain to child labor; however, child labor was a serious problem. By law the minimum age for employment is 16 years. Apprentices may start to work at 14 years of age. Workers and apprentices under the age of 18 are not permitted to work at night, for more than 10 consecutive hours, or on Sundays. The labor code also stipulates that the minister of labor maintain a list of occupations in which women and youth under the age of 18 cannot be employed. In practice enforcement by ministry inspectors was limited to large firms in the modern sector of the economy.

HRW reported that nearly all children engaged in some type of work, many in the worst forms of child labor. Many were exploited or enslaved as domestics, miners, or plantation workers. In June HRW reported that tens of thousands of girls worked as domestics, many of them for up to 18 hours a day with little or no compensation. It added that some may also have suffered beatings, sexual harassment, and rape. Many young children reportedly worked long hours in the country's diamond mines, removing gravel from deep pits, for minimal compensation and little food. Child labor in factories was not prevalent because of the low level of manufacturing. Working children were mostly in the informal sectors of subsistence farming, small-scale commerce, and mining.

Many young Muslim children sent to live with a Koranic master (*marabout*) for instruction in Arabic, Islam, and the Koran worked for the teacher as payment. Children often were sent from rural areas to Conakry to live with family members while they attended school. If the host family was unwilling or unable to pay school fees, the children sold water or shined shoes on the streets, and the host family took the money in exchange for their room and board or simply used the child as a cheap source of domestic labor.

The government spoke out against child labor but lacked the resources, enforcement mechanisms, and legislative will to combat the problem. As a result child laborers did not have access to education or health care and suffered from chronic malnutrition, traumatic stress, and depression. The Ministry of Labor is responsible for enforcing child labor laws.

e. Acceptable Conditions of Work

The labor code allows the government to set a minimum hourly wage; however, the government did not exercise this provision nor did it promote a standard wage. Prevailing wages often did not provide a decent standard of living for a worker and family. The Ministry of Labor is responsible for enforcing the minimum wage.

The labor code mandates that regular work should not exceed 10-hour days or 48-hour weeks, and it also mandates a period of at least 24 consecutive hours of rest each week, usually on Sunday. Every salaried worker has the legal right to an annual paid vacation, accumulated at the rate of at least two workdays per month of work. There also are provisions in the law for overtime and night wages, which are fixed percentages of the regular wage. In practice the authorities enforced these rules only in the relatively small, modern, urban sector. The government rarely monitored employers' work practices or sanctioned them for failure to follow the law.

Working conditions were worse in the private sector, excluding banking, insurance, and other similar institutions. Employees often were fired if they joined a union.

Teachers' wages were extremely low and they could go several months without payment. In some cases teachers went six months or more without salaries. Salary arrears were not paid. Some teachers live in abject poverty, reporting to work without even the minimum requirements to do their jobs. Although President Conte signed an agreement in June 2006 on teachers' compensation, minimal progress had been made in implementing the agreement.

The labor code contains general provisions regarding occupational safety and health, but the government has not elaborated a set of practical workplace health and safety standards. Moreover, it has not issued any orders laying out the specific requirements for certain occupations and for certain methods of work that are called for in the labor code. The Ministry of Labor is responsible for enforcing labor standards, and its inspectors are empowered to suspend work immediately in situations hazardous to health. Enforcement efforts were sporadic.

Under the labor code, workers have the right to refuse to work in unsafe conditions without penalty; however, many workers fear retaliation and did not exercise this right in practice.

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